

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOSE ESTRADA-MENDEZ,

Defendant.

8:06CR304

ORDER

This matter is before the court on the oral motion of counsel for defendant Jose Estrada-Mendez (Estrada-Mendez) for additional time to file pretrial motions made during arraignment on September 29, 2006. The request is granted.

Estrada-Mendez shall have **to on or before October 25, 2006**, in which to file any pretrial motions in accordance with the progression order. The ends of justice have been served by granting such additional time to file pretrial motions and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of such time, i.e., the time between **October 18, 2006 and October 25, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

IT IS SO ORDERED.

DATED this 29th day of September, 2006.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge